

Questions and Answers: Improved Access to Exceptional Access Program Drugs for Ontarians Living Near Manitoba and Quebec Borders under the Ontario Drug Benefit Program

Question 1: What has changed?

Effective June 14, 2021, Quebec and Manitoba physicians and nurses who have authority to prescribe drugs are now “authorized prescribers” for the purposes of Ontario’s Exceptional Access Program (EAP). A new regulation under the *Ontario Drug Benefit Act* (ODBA) has been made to facilitate this change.

Question 2: Why was the change made?

In accordance with section 16 of the ODBA, the EAP provides funding for drugs that are not listed on the Ontario Drug Benefit (ODB) Formulary for ODB Program recipients, on a case-by-case basis. In order to fund a drug product under the EAP for a specific ODB Program recipient, the Executive Officer of Ontario Public Drug Programs must receive a funding request from an “authorized prescriber”. The ODBA defines “authorized prescriber” to mean an Ontario physician, Ontario nurse practitioner, or any other person or class of persons specified in a regulation made by the Minister of Health.

Some ODB Program recipients living in Ontario near the Manitoba or Quebec borders are closer to a physician or nurse in Manitoba or Quebec, than to a physician or nurse practitioner in Ontario. To facilitate these recipients’ access to a physician or nurse who can submit an EAP request, the new regulation has been made under the ODBA to make Quebec and Manitoba physicians and nurses who have authority to prescribe drugs “authorized prescribers” for the purposes of the EAP.

Question 3: What is the difference between the previous policy-based pilot and the new regulation?

Under the Provincial Borders Drug Program policy-based pilot which was implemented in 2015, the Ministry of Health permitted Quebec and Manitoba physicians to submit EAP requests for ODB Program recipients living in Ontario.

Since the pilot has been successful, it has now been incorporated into the new regulation under the ODBA. The new regulation formalizes the pilot, and adds nurses who have authority to prescribe drugs under Manitoba or Quebec laws as authorized prescribers who can submit EAP requests for ODB Program recipients living in Ontario.

Question 4: What is the impact on businesses, as a result of this change?

There is no impact to businesses. Pharmacies should be aware of the change, specifically of the added inclusion of Quebec and Manitoba nurse prescribers, in order to communicate the change to patients as part of their regular front-line service.

Question 5: Would the ODB Program cover drugs dispensed outside Ontario, if the authorized prescriber, and the one who submits the EAP request to the Ministry, is from Manitoba or Quebec.

No, there are no changes to the rule that the ODB Program only funds eligible prescription drugs dispensed in Ontario.

Question 6: What is an “authorized prescriber”?

The ODBA defines “authorized prescriber” to mean an Ontario physician, Ontario nurse practitioner, or any other person or class of persons specified in a regulation made by the Minister of Health.

As a result of the new regulation, the definition of “authorized prescriber” includes a physician or nurse who is authorized under the laws of Manitoba or Quebec to give a prescription within the scope of their practice.

Authorized prescribers are prescribers who may submit EAP requests to the Executive Officer.